App F IX 4

Previous References 1941 (Nil) **File No** 56-41

Serial Nos 55, 56, 91, 92, 93, 119, 120, 157,

Later References Nil (47-63 (2+8))

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for March 42

SUBJECT

Objection to the Election of U P to the Kankanhalli Town Council

93) To, The Commissioner
L 3921/14-11-41
Notifies the election of U P to —

120) To, The Senior Surgeon
L 6466/29-1-42
Issues instructions re the negligence on the part of S A surgeon Kankanhalli during the time of election

Nil
3/4/42

987

In all future communications please quote
No M6-61/41-42.
Enc

Tel Addres — DEPCOM
Post Box No 34

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT
Camp Kankanhally
Dated ~~Bangalore~~ the 14th August 1941

Ml 56-41-55

FROM

M Seshadri, Esq, M A,
Deputy Commissioner,
Bangalore District

CHN & PLV SECRETARIAT
1941
BRANCH

To

H V Narayana Rao, Esq, B A, LL B,
Secretary
to the Government of Mysore,
Law Department, Bangalore

SLOV L DEPT
15 AUG 1941
BANGALORE

SIR,

Subject — Election of Vice-President - Objection to - Kankanhalli Town Municipal Council -

I have the honour to state that the election of the Vice-President of the reconstituted Municipal Council at Kankanhally was held on 2-8-1941 The following three members of the Messrs

1 M Lakshminarasimhiah
2 K Sambasivaiah
3 A V Ramaswamy

Council offered themselves for election. Of these, Mr Ramaswamy withdrew his candidature before the election The election was conducted at a special meeting on that date Nineteen of the Municipal Councillors were present Mr M Lakshminarasimhiah secured (11) votes and Mr K Sambasivaiah (8) votes The Amildar - President has recommended that Mr M Lakshminarasimhiah may be - declared elected and the fact notified in the Gazette

In the meanwhile, a petition signed by three Municipal Councillors was sent to me by registered post, contesting the - validity of the election I am asking the Sub Division Officer, Closepet, under Rule 13 of the Election Rules, to hold an enquiry into the validity of the objections raised by the petitioners I shall report the result of the enquiry in due course

I have the honour to be,
Sir,
Your most obedient servant,

M Seshadri
Deputy Commissioner,
Bangalore District

1) The receipt of further report from the Sub Comr, Bangalore Dist, will be appd be awaited

2) Usually much time is taken in holding the enquiry & submitting a report to govt. It would not be advisable to keep out of office a person

Kms 15/8/41

Election of a Vice President — Kankanahalli Taluk
987

Serial No

who has been elected as vice President. It is very necessary to fix a time limit within which an enquiry may be held & a report submitted to Govt. The issue of a general circular in this matter is called for, having regard to the fact that such delays are of common occurrence as has happened in the case of the elections of vice Presidents of Challakere & Hosdurga.

3) If approved, a circular will be issued fixing the time limit as one month within which the enquiry should be completed & a report submitted to Govt.

A

under Rule 13 of the Electn Rules

4) This time limit as suggested is quite reasonable and may be approved.

Law Secy) 15/8/41

5) A circular on the above lines may be issued

Minister for L S G) 16/8/41

6) 19 8 41

21/8/41

OFFICE OF THE MINISTER FOR L S G & P H
Date 19-8-41
No 1881

SECY LAW DEPT
19 AUG 1941
GOVT OF MYSORE

NOTE—Contn Sheet

Electing a Vice President – Kuppuswamy

987

Town Mu

File No. 56 of 194 General and Revenue Secretariat

Serial No

Draft circular is submitted for approval

Law Secy) 21-8

For perusal before issue

Minister) L S S

Hm 22/8/41

9 31 8 41

Hm 1/9/41

To issue

To the D.C's of Dwds

L 2040 & 6 9-41

56

Issues directions re the period of inquiry into objections re the election of Vice Presidents of Town and Munic Mil Cls

SECY LAW DEPT 21 AUG 1941 GOVT OF MYSORE

Date 29 8 41 No 1155

TYPING - 2 SEP 1941

Serial No

Petition dated 7-8-41 from certain residents of Kankanhalli Town making certain allegations in connection with the election of the Vice-President to the local Municipal Council

11) L.S.G. Minister's minute on the petition

1) A report may be called for in the matter

2) Sd/- 8/9/41

12) Submit with a draft letter to the Dy. Comr, Bangalore Dist.

This may be prepared

Sd/- 22-8

13) A report has been separately received from the D.C. about this election. He has stated that consequent on the receipt of a petition objecting to the validity of the election he has referred the matter to the S.D.O. Doddaballapur for enquiry & report

22/8/41

14) This petition is addressed to the D.C. alone right but has been received by a mistake in the Minister's office

15) Please prepare the letter referred and to have been received

Sd/- 22-8

16) Will be sent to the D.C. for disposal as he thinks fit

Law Secy) Sd/- 22-8

Thus 30/8/41 Sd/-

SECY LAW DEPT. 27 AUG 1941 GOVT OF MYSORE

NOTE—Contn. Sheet

1100

File No of 1941 | General and Revenue Secretariat

Serial No

Respectfully submitted

17) The Minister has ordered that on the petition that a Report may be called for in the matter As already stated in para 1 supra a report from the D C Bangalore Dist is awaited In view of the orders of the Minister on the petition, it cannot perhaps be sent for disposal If appeal, this will be kept up on the connected file and the matter pursued

Hon 3/9/41, 15 A report is another due to Govt. We may send this up also for report along with it.

18) The off putting is alright. Any perhaps be approved for issue.

20) Issue
H 7/9

To
The Dy Comr, Bangalore Dist
No L 2038 d 6-9-41
Calls for a report
From the D C Bangalore Dt
No H 6-1008/41-42 Dated 9-10-20 for the report
Called for as above.

21) The D Cs report is for perusal
The Dy Comr has answered all the points raised in the petn
The D.C further states that the objections raised are not tenable & that the Elections

Election of vice pdt – Kankanahally Town Mncpty.

General and Revenue Secretariat | The File No 2111/2 of 1941-42 | [App F III—2

Serial No

has been properly held

22) In the circs. the election of Mr K. Lakshminarasimhaiah as the vice President of the Kankanahalli Town Mncpty may be notified

23) In orders into effect to the minutes of the Minister for LSG & H dated 8.9.41 (Para 11 Supra)

Law secy) for 7/11/41

SECY LAW DEPT 1 NOV 1941 GOVT OF MYSORE

24) The D C reports that the directions are untenable

25) The election of Mr. K. Lakshminarasimhaiah may be notified

26) The petition may be dismissed

Minister L S G) Hm 3/11/41 for

OFFICE OF THE MINISTER FOR L S G & P H Date 3-11-41 No 2590

27) Issue and resume

for 12 11 41

Hm 12/11/41

Issue of Draft

28) Draft pdt for 12 11 41

TYPING SECTION 13 NOV 1941 HEN & V SECTT

29) Submit with a draft notification for approval

Hm 12/11/41

30) Issued & resume

for 13/11/41

NOTE—Contn Sheet

WD 04155—GPB—55 000—23 10 41

Election of vice pdt – Kankanhalli town Mcity.

File No 56 — 2111/2 — of 1940-42

General and Revenue Secretariat

Serial No

~~Lease~~ Property
~~Lease for order~~

7/11/41

To

The Compiler Mysore Gazette

No L 3921 d 14-11-41 — 93

Notifies the election of Mr. K Lakshmanaraghavaiah as the Vice-President of the Kankanhalli Town Municipal Council

To

The D C Bangalore Dist.
Memo No L 3922 d 10-11-41

Forwards a copy of the above

31) Resubmitted with reference to paras 27 and 30 supra

Law Secy 15/11/41

Minister (L S G) 20/11/41

The conduct of the Sub Surgeon & the Sub Overseer have been adversely commented upon by the enquiry officer. Some notice should be taken of these officers

1 12 41

3/12/41

Pl take a copy for obtaining

SECY LAW DEPT 17 NOV 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H
Date 20-11-41
No 3 ORH

Election of Vice-president — Kankanhalli Town Ml cl

2 III / L

General and Revenue Secretariat

ML File No 56 of 1941 [App F III—2

Serial No

To
Submitted with a draft letter to the Chief Engr and the S S
Hm 7 12 41
Many particulars be sent to Dev in Secretariat in favour of personal before issue

SECY LAW DEPT 11 ... 1941 GOVT OF MYSORE

8/12
9/12

Law secy for 9 12 41

3rd for personal before issue
Secy PWD
Secy Dev
W/c

Hm 12/12/41

3rd WQ 12/12

Hm 12/12/41

to 15/12

Hm 15-12-41

Office 15/12/41

To the Chief Engineer
~~Senior Engineer~~
No 5579 — 20 of 2/1/42
Requests to take sense notice of the Conduct of Subordinates & SA Engineer

No 5521 of 2/1/42
Copy to Dy Commr Bangalore

NOTE—Contn Sheet

WD 04155—GPB—55 000— 3 10 41

Election of Vice President - Kankanhalli

2111/1 File No

Dept Mt Cl 3887/a of 194

General and Revenue Secretariat

Serial No

From the Senior Surgeon
No GC 323-1 of 8/1/42
states that, in the circumstances explained, he is unable to see any grave dereliction of duty on the part of S-A Surgeon in having absented himself with previous sanction and requests to let him know what action he could take in such a case & whether there is any standing rule that ex officio members should on no account absent themselves from the meetings of local bodies

43) Submit for orders

43) Reference Municipal orders at Para 3 4 above

Law Secy 8/1/42

8/1/42

44) There is no rule which lays down that the Ex-Officio members should on no account absent themselves from the meetings of the local bodies. But they are expected to be present on such important occasions as election of the President or Vice President. If such officials intentionally absent themselves with a view to keep

SECY L DEPT 8 JAN 1942 GOVT OF MYSORE

Election of a vice president — Kankanahalli 3887 Tuffy

General and Revenue Secretariat — File No 56 of 194 1-42 [App F III-2

Serial No

one party or another, ~~there~~ conduct should be taken note of ~~But~~ if, they act bona-fide nothing can be done

4) The Senior Surgeon is of the opinion that there is no dereliction of duty on the part of the Sub Asst Surgeon In these circumstances, the Sub Asst Surgeon may be warned to be more careful hereafter and not give room to any such suspicion

Minister L S G) Hm 19/1/42

--- He may also be --- transferred from the place — 20/1/42

Hm 21/1/42

Draft (Do) submitted for approval — Hm 27/1/42 — This may be transferred to G O C (Bs) (Medical Section) in favour of action on the Minister's order

27/1/42 It may come from the L S G branch after passed by the Dev Secy A copy of the order sent to the G O C (Med Section) for approval — Law Secy) for Dev Secy) — Hm 22/1/42

Hm 23/1/42

OFFICE OF THE MINISTER FOR L S G & P H Date 20/1/42 No 45-29

SECY LAW DEPT 20 JAN 1942 GOVT OF MADRAS

NOTE—Cont Sheet

WD 41 —GI B— 5 000—23 10 41

Election of V.P. [illegible]

File No 388 (3) of 194

General and Revenue Secretariat

Serial No

The Senior Surgeon
No 6466/ML 5-21-1242/42
States that the S.A. Surgeon, Kankanhalli
may be warned to be more careful in future
and not to give room for suspicion, that
he may also be transferred from the place

Sd

Forwarded up then before being put in Closed
after returning the records, as no report
has been called for

Sd
17/3

yes.

for
18/3/42

Draft to the Deputy Commr
Bangalore returning the records is
put up.

Sd
18/3/42

Issue

for
19.3.42

Sd
19/3

Issued vide L8921 dt 25-3-42

R
18/3/42

1942

R
30/8/42

Extract from the report of the Sub Division Officer, Closepet

x x x

I conducted the enquiry on 7-9-1941 and 8-9-1941 and looked into the proceedings and examined 14 witnesses in all including the 3 petitioners The chief objections set forth in the petition in advertance are (1) Firstly that the Doctor and the Sub-Overseer, who are Ex-officio members of the Municipal Council were by undue influence induced ~~the~~ to absent themselves from election by some body and they did not attend the election

In regard to the first objection, it is no doubt true that both the official members absented themselves Their statements have been obtained The Sub Assistant Surgeon says that he had gone away to Bangalore with the previous permission of the District Medical Officer, and that no one induced him to be absent for the meeting The Sub-Overseer says that he had a D O from his Assistant Engineer on 30-7-1941 for attending to consolidation work at 6/17 mile Chennapatna - Satanur road, and he went away to make arrangements and was unable to return to Head Quarters in time for the election Both these Gentlemen had previous notice about the election, and in token thereof, they have signed the tappal book of the Municipal Office The Sub-Overseer says that he received the D O on 30-7-41 He could have attended to the work on the 31st of July 1941 or 1st of August 1941, and made it convenient to attend the meeting, instead of giving room for suspicion Even so, the Doctor could have postponed his journey to Bangalore The Amildar also states, that their absence at the meeting was significant and a surprise to him He even goes to the length of saying that it looked to him very suspicious ~~As regards the Sub Overseer, it is~~

Letter No M6-1008/41-42 dated 9th October 1941, from the Deputy Commissioner, Bangalore, to the Secretary to Government, Law Department

---

Subject - Objection Petition of Messrs M Lingegowda and others - Election of Vice-President - Forwards report on the -

---

With reference to your letter No L 2038 dated 6-9-1941 and in continuation of my letter of even number dated 15-8-1941 on the above subject, I have the honour to state that the Sub-Division Officer, Closepet Sub Division, who was ordered to enquire into the allegations has submitted a detailed report which is enclosed herewith The main contentions of the petitioners are (1) that the two Ex-Officio Members, the Sub Assistant Surgeon and the Sub-Overseer deliberately kept away from the meeting, (2) that 4 non-official gentlemen were present at the time of the election and that inspite of the objections raised by Mr Parasiviah they did not go out, (3) that the signatures of voters were not obtained on the counterfoil of the voting slip inspite of the request of Mr Lingegowda, (4) that tellers were not appointed, (5) that the counting of votes was not properly done and that for these and other reasons, the election of the Vice-President held on 2-8-1941 may be vetoed and a fresh election ordered

2 Regarding the first point referred to above, it is seen that the Sub Assistant Surgeon absented himself on account of the feast "Varamahalaxmi Vratam" as well as the annual ceremony of his mother, for which he had to go to Bangalore, as his people were here The Sub-overseer states that he had instructions to attend to road work on the 6/17th mile of Chennapatna - Satnur road They could have arranged to remain at headquarters on the day in question and attend to the Municipal Meeting But, even if they did so, they had the entire discretion to vote for any particular person they liked Even granting they had remained at headquarters and voted for the defeated candidate, he would have had 10 votes which would have been less by one vote, as the successful candidate secured 11 votes In view view, the objection raised by the petitioners does not appear to be tenable Further, the allegations made against these two persons have not been established beyond reasonable doubt

3 As regards the second point raised by the petitioners,

it appears to be untenable in view of the provisions of Section 27(6) of the Town Municipalities Act which lays down that "every meeting shall be open to the public unless the Presiding Authority deems any inquiry or deliberation pending before the Municipal Council such as should be held in private" The Amildar has stated that there were some non-official members present, and that nobody took objection to their presence at the meeting so far as he knew In his statement before the Sub Division Officer, Closepet, Mr Parasiviah has stated that he took objection to the presence of non-members, but he does not state that he brought to the notice of the President any objectionable conduct on the part of any person present there This does not therefore vitiate the Election Proceedings

4 Regarding the third point, i e , the failure to take the signature of the members on the counterfoil of the voting slip, there is some error in the form of voting paper which was made use of at the election The form which had to be used for the purpose of the election of the Vice-President is given in Rule 7 of the Election Rules In fact, there is no provision for the counterfoil at all It was a mistake on the part of the Municipality to have prepared voting papers with counterfoils when the rules did not contemplate their use This is a technical error which does not affect the validity of the elections The Sub Division Officer while commenting on the action of the Amildar, refers to the voting paper with counterfoils used for the election of members and states that that form of voting paper could have been used This view is not correct, as there is a separate form for the election of Vice-Presidents

5 Regarding the 4th objection, there is no provision for the appointment of tellers Under Rule 7, the Presiding authority has to open the box and count the votes in the presence of the Councillors

6 As regards the counting of votes, the Sub Division Officer reports after personal examination that there was no irregularity

7 The claim put forth by the petitioners that nine persons acclaimed their having voted for them appears to be only a guess Taking into account all the circumstances of the case, I think that the objections raised are not tenable, and that the election has been

properly held

8 The entire records along with the petition received with your letter are herewith enclosed for favour of reference

---
"Copy"

For Secretary to Government,
Law Department

1100

A report may be called for on this matter

8 9 41

GEN & REV SECRETARIAT
21 AUG 1941
LOCAL CONNECTION

OFFICE OF
FO L S C
Date 20-8-41
No 211

FOR LAW DEPT
1941

బెంగళూరు డిస్ట్రిక్ట్ మజిస్ట్రేటు రెవిన్యూ కలెక్టరు సాహెబ్ వారికి రుజూరు జనాభిగా

కోర్టు కోర్టు డిగ్రీ ఆఫ్ పోర్ట్ నజ్రీయు దదప్పరుందయం అంగీ సాత్, రుజ్జత్ ఫర్మాయిరుచంద్రశెట్టి ఇవరు గళు బరిదు మాడిద అర్జీతో అర్జీ

స్వామి,

2-8-41 రల్లి నమ్మ కోర్టు కోర్టు డిగ్రీ పోర్ట్ దప్పిదే యు, లు పోధ్వష్ట ఋణావణి యు, సాంతుం కాల పగంబి శివణి యిరు కాంగ్రెస్ లు మేదు పారరాద శ్రీయుత రాష్ట్ర లక్ష్మీనరసింహయ్యనవరిగె 11 (హన్నొందు) సి బుగళూ, (8 మంది మంత్రిగళు స్థానదప్పరిద్దారె) స్థానంత్రలు మేదువారరాద శ్రీయుత రే సాంబశివయ్యనవరిగె 8 సి బుగళూ ఎణిసిరువుదు తిదరి,

(1) పోరపడిసువుదు ఎస్ఫిక్షియోదప్పరాద, ఇల్లిన ఆస్తుల్లి యు కాష్ట్రగళన్ను, దచ్చువర్గియరన్ను, నానాంగళిందు తిళిసిరువుదు మత్తు ఇతరేతరవన్ను లుపయోగిసిదరూ, ఋణావణిగె గైరాజరాగువంతే మాడితరు,

(2) పోరపడిసువుదు తప్పిదవల్లి ఋణావణి నడెసువుదు పాలదల్లి పోరపడిసువుదు దదప్పరల్లదే, చాకి నాల్కు మంది మాత్రవాగి దదప్పరు కూడిద్దరు అదన్నే శ్రీయుతరే పరశివయ్యనవరు అర్జీదారరిగె దుడ్డు కొట్టరూ ఇవరు మాత్రవాగదే మాడిద్దరు,

(3) కోర్టు కోర్టు పాయిలు ఎల్లి బెంగళూరన్ను, అధ్యక్షరు, దదప్పరిగె దుడిసువాగ, శ్రీయుతరంతూ అంగీకారరు కోర్టు పాయిల్లిగె రుజువే మాడుత్తిద్దరే దుడ్డు కొట్టిదాగ, దదప్పరరు రుజువే మాడుత్తిరలిల్ల,

(4) బెంగళూరు ఎంటర్ప్రైజెస్ మాత్రవాగదే అల్లరు గళన్ను నేమకరు మాత్రవాగిత్తిరలిల్ల,

(5) బెంగళూరు ఎంటర్ప్రైజెస్ నడియలిల్ల,

(6) బెంగళూరు ఎంటర్ప్రైజెస్ నడెదమేలే స్థానంత్రద దదప్పరు 10 మంది ప్రైమరి 9 మంది, నాలు బెరుకొట్టిద్దేవెందు తోరిసువుదల్లదే, ~~ఇదే~~ కారణదమేలే రాంబ నాయిడు రుజువు మాడువవరెగూ దిన్నరిద్దారె అధ్యక్షరు మాత్రవాగి నమగె తిళియదిదే అల్లిగె రోసేయరు పక్షే 10 బుగళు స్థానంత్రరాద రే సాంబశివయ్యనవరిగూ, కాయలుగాద కాష్ట్రలక్ష్మీనరసింహయ్యనవరిగూ 9 బుగళు గళూ ఎణిసిరువుదు గమనిసిదరు, అదరంతే ఎణిసిరలిల్ల,

P T O

మేల్కొంత కారణగళిందలు పి ధ్వజ చుసా ?

చుమాగి ఎరూ, పిరిశుద్ధ కేయిందలూ నతే ఇల్లవేందూ చుమ్మ ఎంతే ఎరియు పరియూ గిల్లవేందూ కేళ్ళల్లి అరికే చూరి హేళుత్తేవే

నాలు ఎరుమాది గళాదరావు, మేల్కొంత నమ్మనాతిరిగళన్ను హూలంకళవాగి విచారణేయిందవిమర్శే చూరి అధవా విచారిసి 2-8-41రల్లి నతోద లు పి ధ్వజ చు నాయణోరు న్నరవన్ను కొళ్ళదే, ఆ చు నాయణోరు పునః నతే ఎన్నువంతే ఆతరాగబేకెంగి ప్రార్థిసుత్తేవే జ్ఞాయి

7-8-1941
శేషాద్రి

ఎం అంగేగౌడ
ప్రెస్టీడెంట్
తిరుబద్రకిల్లెరు

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the 19

Date of issue 4th September 19

Signed by Mr. A. Arunacha

List of enclosures

Copied by

Examined by

ab

12 copies

Section Mel

File No 56-41

Serial No 56

No L2040-48

To Official Memorandum

Instances have come to the notice of Government wherein enquiries held on the petns presented under rules 12 and 13 of the rules for the election of Vice-Presidents of Town and Minor Municipal Councils, objecting to the validity of such elections have been ~~unduly~~ much prolonged with the result that the elected candidate is kept-

out of the office of Vice-President for an unduly long period of time

Govt consider that, in fairness to the elected candidate, a specific time limit should be set within which the Enquiry should be completed and accordingly direct that, in no case should the period between the receipt of objection petn under the aforesaid rules and the report of inquiry to be submitted to Govt exceed one month

The D.C's are also requested when referring such petns to their subordinate officers for inquiry and report to specify the time limit within which they are expected to submit their findings

The petns outstanding at present in this behalf should be brought to disposal accordingly

To Secy Law

Sd/- for Secy, Law

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No. 2040-45 Dated Bangalore, 6th August 1941.

RC 56-41-56

OFFICIAL MEMORANDUM

Instances have come to the notice of Government wherein enquiries held on the petitions presented under rules 12 and 13 of the rules for the election of Vice-Presidents of Town and Minor Municipal Councils, objecting to the validity of such elections have been much prolonged with the result that the elected candidate is kept out of the office of Vice-President for an unduly long period of time.

Government consider that in fairness to the elected candidate, a specific time limit should be set within which the enquiry should be completed and accordingly direct that, in no case should the period between the receipt of an objection petition under the aforesaid rules and the report of inquiry to be submitted to Government exceed one month.

The Deputy Commissioners are also requested when referring such petitions to the subordinate officials for inquiry and report to specify the time limit within which they are expected to submit their findings.

The petitions outstanding at present in this behalf should be brought to disposal accordingly.

By Order,

V. Hemachalam

for Secretary to Government,
General Department.

To

The Deputy Commissioner,
District.

AV/1L.

Appendix F G—1]

SUBJECT

Section Pol.

File No 56-41

Serial No 9

Diary No of letter replied to

No L2038/L.2. one only

To

The Dy Comr, Bangalore Dist

General and Revenue Secretariat

( )

the *193*

Sir,

In forwarding herewith received vide your petition dated 7-8-41 from ~~certain residents of Kankanadi~~ making certain allegations in connection with the election of the vice-president to the local municipal council, I am directed to request you to furnish a detailed report on the several ~~allegations~~ allegations contained therein ~~on the petition in question~~ regarding the petition together with your report.

I have etc

Joint Secy to Govt
Rev Dept

Date of issue 6th September 1941

Signed by Mr. H. Ashwathappa
Municipal Commissioner
Kankanadi Town

List of enclosures

Copied by

Examined by

2111/L

Office of the Deputy Commissioner,
Bangalore District,
Dated, Bangalore, 9th October, 1941

No M6-1008/41-42.
Enc One file & one petition.

MU 56-41-92

From

M Seshadri, Esq., M.A.,
Deputy Commissioner,
Bangalore District.

SECY LAW DEPT
To 22
OCT 1941
GOVT OF MYSORE

H V. Narayana Rao, Esq , B.A., LL B ,
Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

Subject - Objection Petition of Messrs. M Lingegowda and others - Election of Vice-President - Forwards report on the -

---

With reference to your letter No.L.2038 dated 6-9-1941 and in continuation of my letter of even number dated 15-8-1941 on the above subject, I have the honour to state that the Sub - Division Officer, Closepet Sub Division, who was ordered to -- enquire into the allegations, has submitted a detailed report which is enclosed herewith. The main contentions of the petitioners are (1) that the two Ex-Officio Members, the Sub Assistant Surgeon and the Sub-Overseer deliberately kept away from the meeting; (2) that 4 non-official gentlemen were present at the time of the election and that inspite of the objections raised by Mr.Parasiviah they did not go out, (3) that the signatures of voters were not obtained on the counterfoil of the voting slip inspite of the - request of Mr. Lingegowda, (4) that tellers were not appointed, (5) that the counting of votes was not properly done and that for these and other reasons, the election of the Vice-President held on 2-8-1941 may be vetoed and a fresh election ordered

2. Regarding the first point referred to above, it is seen that the Sub Assistant Surgeon absented himself on account of the feast "Varamahalaxmi Vratam" as well as the annual ceremony of his mother, for which he had to go to Bangalore, as his people were here The Sub-Overseer states that he had instructions to attend to road

to road work on the 6/17 mile of Chennapatna - Satnur road. They could have arranged to remain at headquarters on the day in question and attend to the Municipal Meeting. But, even if they did so, they had the entire discretion to vote for any particular - person they liked. Even granting they had remained at headquarters and voted for the defeated candidate, he would have had 10 votes which would have been less by one vote, as the successful candidate secured 11 votes. In this view, the objection raised by the petitioners does not appear to be tenable. Further, the allegations made against these two persons have not been established beyond reasonable doubt.

3. As regards the second point raised by the petitioners, it appears to be untenable in view of the provisions of Section 27(6) of the Town Municipalities Act which lays down that "every meeting shall be open to the public unless the Presiding Authority deems any inquiry or deliberation pending before the Municipal Council such as should be held in private". The Amildar has stated that there were some non-official members present, and that nobody took objection to their presence at the meeting so far as he knew. In his statement before the Sub Division Officer, Closepet, Mr.Parasiviah has stated that he took objection to the presence of non-members, but he does not state that he brought to the notice of the President any objectionable conduct on the part of any person present there. This does not therefore vitiate the Election Proceedings.

4 Regarding the third point, i.e , the failure to take the signature of the members on the counterfoil of the voting slip, there is some error in the form of voting paper which was made use of at the election The form which has to be used for the purpose of the election of the Vice-President is given in Rule 7 of the -- Election Rules. In fact, there is no provision for the counterfoil at all It was a mistake on the part of the Municipality to have prepared voting papers with counterfoils when the rules did not contemplate their use. This is a technical error which does not affect the validity of the elections. The Sub Division --

The Sub Division Officer while commenting on the action of the Amildar, refers to the voting paper with counterfoils used for the election of members and states that that form of voting - paper could have been used. This view is not correct, as there is a separate form for the election of Vice-Presidents.

5 Regarding the 4th objection, there is no provision for the appointment of tellers. Under Rule 7, the Presiding authority has to bpen the box and count the votes in the presence of the Councillors

6. As regards the counting of votes, the Sub Division Officer reports after personal examination that there was no irregularity

7. The claim put forth by the petitioners that nine persons acclaimed their having voted for them appears to be only a guess Taking into account all the circumstances of the case, I think that the objections raised are not tenable, and that - the election has been properly held

8. The entire records along with the petition received with your letter are herewith enclosed for favour of reference

I have the honour to be,
Sir,
Your most obedient servant,

Y R Deshadri

Deputy Commissioner,
by Bangalore District.

KRG
9.10.41

No. L 398 / 12 copies

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 14th November 1941

NOTIFICATION No 56-41-93

Under Section 23 (4) of the Mysore ~~Section 10 (4) of the Mysore~~

Town Municipalities Act 1933 ~~Minor Municipalities Act 1933~~ Mr K Lakshmanarasaiah

is elected as the Vice President of the Kankanhalli

Town Municipal Council ~~Minor Municipal Council~~ Bangalore District,

Sd by Mr. G Ramachandra Rao.

By Order,

Secretary to Government
Law Department

To—The Compiler Mysore Gazette for publication in Part III-3 of Gazette and supply of ten copies thereof to the Secretariat and to the Deputy Commissioner of the District Concerned

MEMO NO L 3922 / Hl dated 14th Nov. 41.

Copy of the above is forwarded with compliments to the Deputy Commissioner Bangalore District for information with reference to his letter No 116 108/41-42 dated 9-10 1941 ~~The records accompany~~

By Order,

For Secretary to Government,
Law Department

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L392/MC56-41-93 General and Revenue Secretariat,

Dated Bangalore, 14th November 1941.

NOTIFICATION

Under Section 23 (4) of the Mysore Town Municipalities Act, 1933 Mr. K. Lakshminarasimhiah is elected as the Vice President of the Kankanhalli Town Municipal Council, Bangalore District.

By Order,

Secretary to Government,
Law Department.

To
~~Agn/12.~~

The Compiler, Mysore Gazette for publication in Part III-3 of Gazette and supply of ten copies thereof to the Secretariat and to the Deputy Commissioner of the District concerned.

Agn/12.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Confidential

General and Revenue Secretariat

No L 5519-20/Li-n-Jeevaly Dated, Bangalore, 2nd January ~~December~~ 1942.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore

Law Department.

To

The Chief Engineer of Mysore,
The Senior Surgeon in Mysore.

Sir,

I am directed to forward herewith relevant extracts from the report of enquiry held by the Sub Division Officer, Closepet, as also a copy of covering letter of the Deputy Commissioner, in connection with the allegations made against the validity of the election of the Vice-President, Kankanhelli Town Municipal Council held on 2nd August 1941, wherein the conduct of the Sub Overseer / Sub Assistant Surgeon Kankanhalli, who is an ex-officio member of the said Municipal Council has been adversely commented upon by the enquiring officer and to request you to take severe notice of the same conduct of the said officer.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- H V.Narayana Rao,

Secretary to Government,
Law Department.

Memo No. L 5521/

Dated, Bangalore, 2nd January ~~December~~ 1942.

Copy of the above is forwarded with compliments to the Deputy Commissioner, Bangalore District for information

By Order,

Ramachandra

for Secretary to Government,
Law Department.

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 20th Jany. '42

Signed by Mr G. Ramachandra Rao

*typd type, the confidential part - flagged to (3 copies)

List of enclosures

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Examined by

by copies

Section

File No

Serial No

No Confidential 55 19-20/Encls

To

The Chief Engineer of Mysore

The S S.

Sir,

I am directed to forward herewith, ~~a copy~~ relevant extracts from the report of enquiry held by the Sub-Divisional Officer, Closepet, and also a copy of covering letter of the D C Bangalore, in connection with the allegations made against the validity of the election of the vice-president, Kankanhalli Town Municipal Council, held on 2-8-41, ~~and to state~~ wherein the conduct of the Sub-overseer S. A. S. Sam Kankanhalli, who ~~are the~~ is an ex-officio member of the said Municipal Council

has been adversely commented upon by the reviewing officer and to request you to take severe notice of the conduct of the said officer ~~in question~~

I have c/o

HM 12/12/41

for ~~For~~ Secy to Govt-
Law Dept-

Memo No L5521 Dated 2nd June 7-42

Copy of the above is forwarded u/c to the D C Bangalore Dist- for information

By order

for

For Secy to Govt
Law Dept-

9/XII

3887/C

MYSORE MEDICAL DEPARTMENT

5 JAN 1942

V V MONTEIRO Esq
M B B S F R F P S (G s)
L D S (E g)

Telephone —No 2462
Telegrams —Senorgen

OFFICE OF THE SENIOR SURGEON IN MYSORE

D O No Cfa 343-1 Confidential

Bangalore, dated 3rd January 1942

Enc

Dear Mr. Narayana Rao,

I am in receipt of your letter No. L. 5519-20 dated the 2nd January 1942 requesting me to take severe notice of the conduct of the Sub Assistant Surgeon, Kankanhalli, for not having attended an election meeting at Kankanhalli on the 2nd August 1941

From the enclosures I find that the Sub Assistant Surgeon has absented himself from his headquarters on having obtained previous permission of the District Medical Officer on account of his mother's annual ceremony and "Varamahalakshmi Vratham" The enquiry officer states that this officer "could have attended the meeting instead of giving room for suspicion", and the Deputy Commissioner states that the allegations made against this officer "has not been established beyond reasonable doubt" Under the circumstances, I am unable to see any grave dereliction of duty on the part of the Sub Assistant Surgeon in having absented himself with previous sanction I shall be grateful if you will kindly let me know what action I could take in such a case, and whether there is any standing rule that Ex-Officio members should on no account absent themselves from the meetings of such local bodies

Yours sincerely,

H V Narayana Rao, Esq , B A , LL.B ,
Secretary to Government,
Law Department,
Bangalore

Appendix F G—1]

SUBJECT

Confidential

3 copy

Section Jul
File No 56-41
Serial No 120

Diary No of letter replied to

D.O. No 16466

General and Revenue Secretariat

( )

the 19

To Dear Mr Monteiro

With refer to your D.O. letter No G C 343-1 of 3/1/42 furnishing your remarks on the Conduct of the Sub-Asst Surgeon, Kankanhalli for not having attended an election meeting at Kankanhalli on the 2nd Aug 1941, I am desired to state that the Sub-Asst Surgeon may be warned to be more careful in future and not to give room for suspicion + that he may

Date of issue 29th Jany '42

Signed by Mr. G V. Narayan Rao

List of enclosures

Copied by 3 copies 2/1

Examined by

also be transferred from
the place

express finding

HW 23/1/42

from Secy to Govt
Law Dept

V V Montero Esq MIOIBS
FRCP S (Glas) LLDS (Eng)
Senior Surgeon in Mysore
Bangalore

Draft
HW
22/1/42

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore, 29th January 1942.

D O No 16466/MR 56-41-120

CONFIDENTIAL

Dear Mr. Monteiro,

With reference to your demi-official letter No.C.C.343-1 dated 3rd January 1942 furnishing your remarks on the conduct of the Sub Assistant Surgeon, Kankanhalli for not having attended an Election Meeting at Kankanhalli on the 2nd August 1941, I am desired to state that the Sub Assistant Surgeon may be warned to be more careful in future and not to give room for suspicion and that he may also be transferred from the place.

Yours sincerely,

26/1/42

Secretary to Government,
Law Department

V.V.Monteiro,Esq.,M.R.,B.S., F.R.F.P.S.
(Glas.), L.D.S.(Eng.)
Senior Surgeon in Mysore, Bangalore.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore, January 1942

D O No

CONFIDENTIAL

Dear Mr Monteiro,

With reference to your demi-official letter No.G.C.343-1 dated 3rd January 1942 furnishing your remarks on the conduct of the Sub Assistant Surgeon, Kankanhalli for not having attended an Election Meeting at Kankanhalli on the 2nd August 1941, I am desired to state that the Sub Assistant Surgeon may be warned to be more careful in future and not to give room for suspicion, and that he may also be transferred from the place

Yours sincerely,

26 1 42

Secretary to Government,
Law Department

V V.Monteiro,Esq ,M N ,B S , F R F P S
(Glas), L D S (Eng) ,
Senior Surgeon in Mysore, Bangalore

Appendix F G—1]

SUBJECT Election of Vice President, Kankanhalli Town Mn Cl

Section Rel

File No 56-41

Serial No 157

Diary No of letter replied to

No L 8921/with records

To The Deputy Commr. Bangalore Dist

General and Revenue Secretariat

( )

the *19*

Sir

In continuation of ~~with ref to~~ this office memo No L 5521 dt 2-1-42 on the subject, I am directed to return herewith your office records relating to the election of the Vice President Kankanhalli TMC, as they are no longer required here

Date of issue 25-3-42

Signed by M G R Rao

Thanking you

Yours

for Secy to Govt

Law Dept

List of enclosures

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Examined by

5894/L

GOVERNMENT OF MYSORE

Telegraphic Address

No 18076
Encls

OFFICE OF
The Chief Engineer of Mysore,
Public Works Department,
Bangalore.

Date 27th March 1942

To

The Superintending Engineer,
Mysore Circle,
M Y S O R E

Sir,

Subject - Election of Vice President to the Municipal Councils, Kankanhalli

---

With reference to your letter No 3443 dated 6-3-1942, I have the honour to state that Mr S K Lakshman Rao, Surveyor, should have taken more interest in the public affairs and he should have attended the election especially as the Voting was so keen The Surveyor may be fined one month's conveyance allowance and warned severely

I have the honour to be,
S i r,
Your most obedient servant,

(Sd) N Gopala Iyengar,
For Offg Chief Engineer of Mysore,
(~~Absent on Tour~~)

V M S

SECY LAW DEPT GOVT OF MYSORE

No 18077 Dated, Bangalore, the 27th March 1942

Copy of the above is forwarded, with compliments, to the Secretary to Government, Law Department, Bangalore, for information, with reference to his letter No L 5519-20/ML 56 41-(5) dated 2-1-1942

For Offg Chief Engineer of Mysore

1) Submitted for perusal with the connected papers
2) Law Secy
3) Minister L & Fg
4) Govt order

Election of vice-president — Kankanhalli Town mnl cl

6289

5894/L 6289

General and Revenue Secretariat

ML File No of 1941 [App F III—2

Serial No

6 Submitted with a draft letter to the Senior Surgeon

Kum 11/4/42

Issue 15/4/42

1 2

To

The Senior Surgeon

No L 9843 d 15-4-42

Calls for certain information

Sub 1 G

Letter no G C 343-S dated 20-4-42 from the Senior Surgeon stating that the Sub Asst Surgeon, Kankanhalli has been warned and also transferred to Hosadurga

Submitted for perusal with ref. to para 4 supra

Kum 22/4/42

Law (Leg) for 22/4/42

For perusal

Minister (S G)

Hm 23 4 42

Hm 23 4 42

Hm 24 4 42

SECY L & I DEPT 23 APR 1942 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H Date 23.4.1942 No 6632

Bring to the notice of the Minister

NOTE—Contn Sheet

WD 04155—GPB—55 000—23 10 41

File No of 194

General and Home Secretariat

Serial No	

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L9823/ML

Bangalore, dated 15 April 1942.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department.

To

The Senior Surgeon in Mysore,
Bangalore

Sir,

I am directed to invite reference to ~~my~~ letter No.L. 6466/ML 55-41-120 dated 29th January 1942, regarding the disciplinary action against the Sub Assistant Surgeon, Kankanhalli, for not having attended a Municipal Election Meeting at Kankanhalli, and to enquire if the instructions communicated therein including the transfer of the Sub Assistant Surgeon have been duly given effect to and if so, when

An early reply is requested

I have the honour to be
Sir,
Your most obedient servant,

Secretary to Government,
Law Department.

BHK/2

pendix F G—1]

'TECT

No of letter replied to

General and Revenue Secretariat

( )

the *19*

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ned by Flag L RRao

of enclosures

ied by

mined by

Section

File No

Serial No

No L 9843

To

The S S

Sir,

I am directed to invite reference to ~~the office~~ note Dis letter no L 6466/ML S-6-41-120 d 29-1-42 ~~relating instructions as to the~~ regarding the disciplinary action ~~to be taken~~ against the Sub Asst Surgeon Kaulkaulalli for not having attended a ~~an~~ Election meeting at Kaulkaulalli, and to ~~request~~ enquire ~~Kindly to state~~ if the ~~action~~ instructions communicated herein under the transfer of the SAS ~~indicated in the letter said letter~~ ~~has been taken~~ have been duly given effect and when ~~if so~~ when so, I have Etc—

WD 03695—GPB—30 000—2921 49

An early reply is requested

14/4

for Secy to Govt—Land Alpn—

G.R S III—3]

ROUTINE NOTES

[To be used only for notes requisitions, etc , not intended for permanent record]

6289/L

MYSORE MEDICAL DEPARTMENT

r l { gram S orgen / ph No 2462

OFFICE OF THE SENIOR SURGEON IN MYSORE

No Gc 343-5 Bangalore dated 20 4 1942

I nel

GOVT LAW DEPT 21 APR 1942 MYSORE

FROM

V V MONTEIRO Esq M I B S F R F P S (Glas) L D S (Eng)

Offg *Senior Surgeon with the Government of H H the Maharaja of Mysore*

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore

Sir,

With reference to your letter No L 9843/Ml dated 15th April 1942, I have the honor to inform you that a warning was communicated to the Sub Assistant Surgeon, Kankanhalli, in this office No C C 343-3 dated 31-1-1942 as directed in your letter No L 6466/ml 56-41-120 dated 29th January 1942 The Sub Assistant Surgeon has also been transferred from Kankanhalli to Hosadurgha as per this office No C 2781 dated 11th April 1942

I have the honor to be,
Sir,
Your most obedient servant,

Offg Senior Surgeon

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

WD 05639—36 000—GPB—20 3 40